

which contained less than 80 percent by weight of milk fat had been substituted wholly or in part for butter.

On February 21, 1940, the shipper having admitted the allegations of the libel and having consented to the entry of a decree, judgment was entered finding the product adulterated and it was ordered that the product be turned over to a charitable institution since it was not unfit for human consumption.

533. Adulteration of butter. U. S. v. 15 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 2132. Sample No. 14720-E.)

On May 24, 1940, the United States attorney for the Eastern District of Pennsylvania filed a libel against 15 cartons, each containing 60 pounds, of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about May 16, 1940, by Bird Island Cooperative Creamery from Bird Island, Minn.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter.

On June 3, 1940, A. F. Bickley & Son, Philadelphia, Pa., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it should not be sold or disposed of in violation of the law.

534. Adulteration and alleged misbranding of butter. U. S. v. 15 Cubes and 6 Cubes of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. Nos. 1856, 1857. Sample Nos. 13923-E, 13924-E.)

On April 10, 1940, the United States attorney for the Western District of Washington filed libels against 21 cubes of butter at Seattle, Wash., alleging that the articles had been shipped in interstate commerce on or about April 1 and 8, 1940, by Boundary Creamery from Bonners Ferry, Idaho; and charging that it was adulterated and misbranded. It was labeled in part: "J. S. Griffiths Co. * * * Seattle, Wn."

The article was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. It was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On April 16, 1940, Boundary Creamery, claimant, having admitted the allegations of the libels and the cases having been consolidated, judgment was entered finding the product adulterated and ordering that it be condemned; and it was further ordered that the product be released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

535. Adulteration and misbranding of butter. U. S. v. 11 Cases of Butter. Default decree of condemnation, forfeiture, and destruction. (F. D. C. No. 1681. Sample No. 61892-D.)

On March 7, 1940, the United States attorney for the Eastern District of Louisiana filed a libel against 11 cases, each containing 32 1-pound prints, of butter at New Orleans, La., alleging that the article had been shipped in interstate commerce on or about February 26, 1940, by W. R. Branson from Wichita, Kans.; and charging that it was adulterated and misbranded. The article was labeled in part: "Cudahy's Sunlight Creamery Butter. The Cudahy Packing Co., * * * Distributors."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product that should contain not less than 80 percent by weight of milk fat, as provided by law. The article was alleged to be misbranded in that the statement "Butter," borne on the label, was false and misleading.

On April 27, 1940, no claimant having appeared, a decree of condemnation and forfeiture was entered and the product was ordered destroyed.

536. Adulteration of butter. U. S. v. 11 Cubes and 10 Cubes of Butter. Consent decree of condemnation. Product released under bond. (F. D. C. No. 1980. Sample No. 7541-E.)

On May 6, 1940, the United States attorney for the Southern District of California filed a libel against 21 cubes, each containing 68 pounds, of butter at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about April 24, 1940, by the Cascade Creamery from Cascade,

Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On May 13, 1940, H. H. Hildreth, Los Angeles, Calif., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that it should not be disposed of in violation of the law.

537. Adulteration of butter. U. S. v. 9 Cubes of Butter. Consent decree of condemnation and forfeiture. Product ordered released under bond. (F. D. C. No. 1750. Sample Nos. 13515-E, 13521-E.)

On March 22, 1940, the United States attorney for the Western District of Washington filed a libel against nine cubes of butter at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about March 14, 1940, by the Cottonwood Dairy from Cottonwood, Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. It was labeled in part: "Walter Ely Company * * * Seattle, Wash. * * * Cottonwood Dairy Products."

On March 26, 1940, the Cottonwood Dairy Products, claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released to the claimant under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

538. Adulteration of butter. U. S. v. 18 Cubes and 15 Cubes of Butter. Decrees of condemnation. Product released under bond. (F. D. C. Nos. 1749, 1902. Sample Nos. 7314-E, 7341-E.)

On March 20 and April 16, 1940, the United States attorney for the Southern District of California filed libels against 33 cubes, each containing 68 pounds, of butter at Los Angeles, Calif., alleging that the article had been introduced in interstate commerce on or about March 7 and April 4, 1940, by the Dairymen's Cooperative Creamery of Boise Valley from Caldwell, Idaho; and charging that it was adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On April 11 and 26, 1940, the Challenge Cream & Butter Association and H. H. Hildreth, claimants for respective lots of the article, having admitted the allegations of the libels, judgments of condemnation were entered, and it was ordered that the product be released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration.

539. Adulteration of butter. U. S. v. 11 Tubs of Butter. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 2024. Sample No. 10966-E.)

On May 15, 1940, the United States attorney for the Southern District of New York filed a libel against 11 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 7, 1940, by Farm Union Cooperative Creamery from Menno, S. Dak.; and charging that it was adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as provided by act of March 4, 1923. The article was labeled in part: "Distributors Zenith-Godley Co. N. Y."

On May 28, 1940, Farmers Coop. Creamery, Menno, S. Dak., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be reworked so that it contain at least 80 percent of milk fat.

540. Adulteration and misbranding of butter. U. S. v. 24 Cartons of Butter. Consent decree of condemnation. Product ordered released under bond to be reworked. (F. D. C. No. 2139. Sample No. 10973-E.)

On May 24, 1940, the United States attorney for the Southern District of New York filed a libel against 24 cartons of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about May 10, 1940, by Farmers Union Cooperative Produce Association from Devil's Lake, N. Dak.; and charging that it was adulterated and misbranded. The article was labeled in part: "Butter Distributed by Hunter, Walton & Co. New York."

It was alleged to be adulterated in that a product which contained less than 80 percent by weight of milk fat had been substituted for butter. It was